

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

DONGHYUK KIM,

Plaintiff,

v.

THE UNIVERSITY OF NORTHERN
IOWA, MARK A. NOOK, President of the
University of Northern Iowa in his official
capacity; LEAH GUTKNECHT, in her
individual and official capacities
CHRISTINA ROYBAL, in her individual
and official capacities, LESLIE K.
WILLIAMS, in her individual and official
capacities, PAULA KNUDSON, in her
official capacity, NICHOLAS
RAFANELLO, in his individual and official
capacities, ALLYSON RAFANELLO in her
individual and official capacities,

Defendants.

Case No. 6:19-CV-02037-KEM

**DEFENDANTS' MOTION TO FILE
ATTACHMENTS IN SUPPORT OF
THEIR MOTION TO DISMISS
UNDER SEAL**

COME NOW Defendants, the University of Northern Iowa (“UNI”), Mark Nook, Leah Gutknecht, Christina Roybal, Leslie Williams, Paula Knudson, Nicholas Rafanello, and Allyson Rafanello, and move to file two attachments to their Motion to Dismiss under seal pursuant to LR 7 and LR 5(c)(1)-(5) , and state to the Court as follows:

1. Defendants wish to file two attachments in support of their Motion to Dismiss under seal. The attachments at issue include sensitive information regarding Defendant UNI’s investigation of a reported sexual assault, as well as personal identifying student information and education records which must be maintained confidential under the Family Educational Rights and Privacy Act. 20 U.S.C. See § 1232g; 34 CFR Part 99.

2. Defendants respectfully request that the Court grant them leave to file two supporting documents under seal, including 1) an Investigation Report which provides a detailed account of Jane Roe's allegations against Plaintiff, and 2) a Notice of Hearing Letter sent to Plaintiff by Defendant Leslie Williams which contains identifying information for former UNI students.

WHEREFORE, Defendants pray the Court grant them leave to file the attachments in support of their Motion to Dismiss described above under seal.

Respectfully Submitted,

THOMAS J. MILLER
Attorney General of Iowa

/s/ Kayla Burkhiser Reynolds
KAYLA BURKHISER REYNOLDS
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PROOF OF SERVICE

The undersigned certifies that the foregoing instrument was served upon each of the persons identified as receiving a copy by delivery in the following manner on August 27, 2019:

- | | |
|---|------------------------------------|
| <input type="checkbox"/> U.S. Mail | <input type="checkbox"/> FAX |
| <input type="checkbox"/> Hand Delivery | <input type="checkbox"/> Overnight |
| Courier | |
| <input type="checkbox"/> Federal Express | <input type="checkbox"/> Other |
| <input checked="" type="checkbox"/> ECF System Participant (Electronic Service) | |

Signature: /s/AUDRA DRISH